

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW MEXICO**

CHRISTOPHER YSAIS,

Plaintiff,

vs.

No. CIV. 07-0287 JB/RLP

BILL RICHARDSON, in his official capacity as Governor, State of New Mexico, and as an individual; MARY-DALE BOLSON, in her capacity as Cabinet Secretary of the Department of Children Youth and Family, State of New Mexico, and as an individual; KAREN PRICE, in her official capacity as Agency Head, and as an individual; DAVID MONTOYA, in his capacity as a Supervisor of CYFD and as an individual; JULIE BODENNER, in her capacity as a supervisor of CYFD, and as an individual; JENNIFER LYNN, as an employee of CYFD, and as an individual; THE STATE OF NEW MEXICO, SECOND JUDICIAL DISTRICT COURT; THE SECOND JUDICIAL DISTRICT COURT FAMILY CLINIC DIVISION; BETH ROTH, in her capacity as Supervisor of the Family Court Clinic, and as an individual; TERRY ASHCOM, in her capacity as an employee of the Family Court Clinic, and as an individual; DIANN SHEPPARD, in her capacity as an employee of the Family Court Clinic, and as an individual; THE CITY OF RIO RANCHO; THE CITY OF RIO RANCHO POLICE DEPARTMENT; CHRIS PINO, in his capacity as an investigative sergeant of the Rio Rancho Police Department, and as an individual; JEFF CHAVEZ, in his capacity as a Rio Rancho Police Officer, and as an individual; BRIAN LINK, as a Detective in the Rio Rancho Police Department, and as an individual; ABRAZOS, INC.; ABRAZOS FAMILY SUPPORT SERVICES, ELIZABETH SIMS, in her capacity as an employee of Abrazos, and as an individual; JANE DOE 1, in her capacity as an employee of Abrazos, and as an individual; JOHN DOE 1, in his capacity as an employee of Abrazos, and as an individual; PRESBYTERIAN HOSPITAL, INC.; MARY DENTZ, in her capacity as a Nurse Practitioner employed by Presbyterian Hospital, and as an individual; DR. KAREN WALSH, in her capacity as a Doctor employed by Presbyterian Hospital, and as an individual; THE UNIVERSITY OF NEW MEXICO HOSPITAL; DR. CAROL CLERICUZIO, in her capacity as an employee of the University of New Mexico Hospital, and as an individual; DR. JUDITH LEDMAN, in her capacity as an employee of the University of New Mexico Hospital, and as an individual; RIO RANCHO PUBLIC SCHOOLS; SHINING STARS PRE-SCHOOL;

JOAN HROMAS, in her capacity as an employee of the Rio Rancho Public Schools, and as an individual; THE THIRTEENTH JUDICIAL DISTRICT ATTORNEY'S OFFICE; CARLOS ELIZANDO, in his capacity as Assistant District Attorney, and as an individual; JODY CARRASCO, in her capacity as an employee of the Thirteenth Judicial District Attorney's Office, and as an individual; MEMORABLE MOMENTS DAYCARE; TAMMY ROSEN, in her capacity as owner of Memorable Moments Daycare, and as an individual; COZY DAYCARE; DONNA EARL, in her capacity as owner of Cozy Daycare and as an individual; DR. GAYLE ZIEMAN, in his capacity as a contractor with the Second Judicial District Court Family Clinic, HAVEN HOUSE, and as an individual; CONSUELO LEYBA, as an individual; and ANTHONY LEYBA, as an individual,

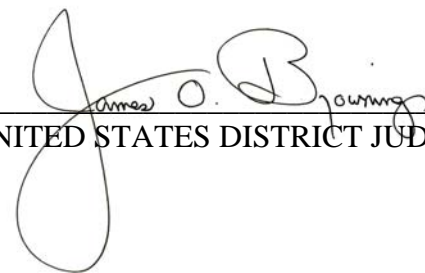
Defendants.

**ORDER ADOPTING THE MAGISTRATE JUDGE'S ANALYSIS  
AND RECOMMENDED DISPOSITION**

**THIS MATTER** comes before the Court on the Magistrate Judge's Analysis and Recommended Disposition, filed April 22, 2010 (Doc. 684). The Magistrate Judge's findings notified the parties of their ability to file objections and that failure to do so waives appellate review. See id. at 1 n.1. See also Casanova v. Ulibarri, No. 09-2096, 2010 U.S. App. LEXIS 2654, at \*2 (10th Cir. Feb. 9, 2010)(“This circuit has adopted a firm waiver rule when a party fails to object to the findings and recommendations of the magistrate judge.”)(citation and internal quotation marks omitted). Plaintiff Christopher Ysais has not filed an objection to the Analysis and Recommended Disposition. After a thorough *de novo* review of the Magistrate Judge's reasoning, the Court finds that it should adopt the Magistrate Judge's Analysis and Recommended Disposition. The Court further notes that, although the case was on appeal when the Magistrate Judge formulated its Analysis and Recommended Disposition, the United States Court of Appeals for the Tenth Circuit has issued an opinion in which they affirmed the Court's disposition of Ysais' case. See Ysais v. Richardson, No. 09-2111, 2010 WL 1662483, at \*5 (10th Cir. Apr. 27, 2010). The Court is now

waiting only for the Tenth Circuit's mandate to issue. Ysais should, at this point, acknowledge that this case has ended and that he has lost. He must now stop filing documents and motions in this matter.

**IT IS ORDERED** that the Magistrate Judge's Analysis and Recommended Disposition are adopted. Documents appearing at Docket Nos. 677, 680 and 681 of the Court's docket are hereby stricken from the record. Plaintiff Christopher Ysais is advised that filing additional pleadings or other documents in this matter may result in the Court imposing monetary sanctions against him.



UNITED STATES DISTRICT JUDGE

*Counsel and Parties:*

Christopher Ysais  
Rio Rancho, New Mexico

*Plaintiff pro se*

Timothy V. Flynn-O'Brien  
Albuquerque, New Mexico

*Attorney for Defendants Bill Richardson, Mary-Dale Bolson, Karen Price,  
David Montoya, Julie Bodenner, State of New Mexico, Second Judicial District Court,  
The Second Judicial District Court Family Court Clinic Division, Beth Roth, Terry  
Ashcom, Diann Sheppard, University of New Mexico Hospital, Carol Clericuzio, Judith  
Ledman, the Thirteenth Judicial District Attorney's Office, and Carlos Elizando*

Aaron C. Viets  
Rodey, Dickason, Sloan, Akin & Robb, P.A.  
Albuquerque, New Mexico

*Attorneys for Defendants Presbyterian Healthcare  
Services, Mary Dentz and Karen Walsh*

Kevin M. Brown  
Brown & German, L.L.C.  
Albuquerque, New Mexico

*Attorneys for Defendants Rio Rancho Public Schools, Shining Stars Preschool,  
and Joan Hromas*

Stephen G. French  
Regina Y. York  
French & Associates, P.C.  
Albuquerque, New Mexico

*Attorneys for Defendants City of Rio Rancho, Rio Rancho Police Dept.,  
Chris Pino, Jeff Chavez, and Brian Link*

Nancy Franchini  
Gallagher, Casados & Mann, P.C.  
Albuquerque, New Mexico

*Attorneys for Defendants Abrazos, Inc. and Elizabeth Sims*

Kathleen M. Wilson  
Mariposa Padilla Sivage  
Keleher & McLeod, P.A.  
Albuquerque, New Mexico

*Attorneys for Defendant Dr. Gayle Zieman*

Donna Earl  
Rio Rancho, New Mexico

*Defendant pro se*

Consuelo Leyba  
Rio Rancho, New Mexico

*Defendant pro se*